

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SUGARTOWN WORLDWIDE LLC	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 14-5063
KENNETH LINN SHANKS and	:	
JAMES MICHAEL GLOVER	:	

ORDER

AND NOW, on this 24th day of March 2015, upon consideration of Defendant Glover's Motion to Dismiss for Lack of Personal Jurisdiction and/or Failure to State a Claim (ECF Doc. No. 11), Plaintiff's Opposition (ECF Doc. No. 13) and Defendant Glover's Reply (ECF Doc. No. 19), and as detailed in the accompanying Opinion, it is hereby **ORDERED**:


1. Defendant Glover's Motion to Dismiss for Lack of Personal Jurisdiction is **GRANTED** as to Count II (fraud in the inducement/civil conspiracy) and Count III (unjust enrichment); Counts II and III are **DISMISSED with prejudice** against Defendant Glover for lack of personal jurisdiction;

2. Defendant's Motion to Dismiss for Failure to State a Claim is **DENIED in part and GRANTED in part**:

a. Defendant's Motion is **GRANTED** as to Count I (piercing the corporate veil) and as to any claim in Count IV for a constructive trust, receiver or accounting from non-parties (Fed. R. Civ. P. 19) and these claims are **DISMISSED without prejudice** as described in the accompanying Memorandum.

b. Defendant's Motion to Dismiss Count IV (Fraudulent Transfer Act) and Count V (Breach of Fiduciary Duty) is **DENIED**.

3. Defendant Glover shall answer Counts IV and V of the Complaint on or before **April 6, 2015**.



KEARNEY, J.